



Arlington Conservation Commission

Date: September 19, 2019

Time: 7:30pm

Location: Second floor conference room, Town Hall Annex
730 Massachusetts Ave, Arlington, MA

Minutes

Attendance: *Commission Members David White, Nathaniel Stevens, Chuck Tirone, Mike Nonni, Susan Chapnick and Pam Heidell; Associate Commissioners Cathy Garnett and Mike Gildesgame; and Conservation Agent Emily Sullivan. Commission Member Dave Kaplan was not present. Also present were Brad Barber, Steve Ricci, Suzanne Owayda, Tracey Petryshen, Larry Lessard, Jeff North, and Town Engineer Wayne Chouinard.*

08/15/2019 Meeting Minutes

The Commission discussed edits to the draft minutes. S. Chapnick motioned to approve the minutes as edited, D. White seconded, all were in favor, motion approved.

Discussion on Electing Commission Chair/Vice Chair

The Commission discussed that the Chair and Vice Chair positions should be rotating positions, with a minimum commitment of two years.

Review Draft Letter Responding to Letters about 47 Spy Pond Lane Lot 1/A

The Commission reviewed a draft letter to submit to the local newspaper in response to letters to the editor, but ultimately decided to not submit a response letter.

Spy Pond Discussion with Spy Pond Committee

The Commission reviewed the 2019 Spy Pond Management Plan developed by Solitude Lake Management with the co-chairs of the Spy Pond Committee, B. Barber and S. Ricci. The Commission agreed that Solitude should specify treatment times in the management plan and should provide better documentation regarding treatments done. Such information should include concentration of treatment, frequency of treatment, areas of treatment. The Commission would also like copies of the Arlington herbicide licenses for treatment of all water bodies that Solitude manages.

S. Ricci asked how nutrients can be most effectively removed from the pond. B. Barber recommended that herbicide treatments should be administered earlier so that less vegetation grows. C. Tirone asked whether hydro-raking was a viable management alternative. E. Sullivan will follow-up with Solitude to determine the feasibility of hydro-raking and whether there are other innovative management strategies that would be successful in Spy Pond.

Request for Determination of Applicability: 15 Parker Road

No DEP File Number because RDA

Documents Reviewed:

- 1) *RDA Package, dated 6/26/2019*
- 2) *Landscape Improvements Site Plan, certified by John C. McDonnell*
- 3) *Elevation Certificate, certified by Richard J Mede Jr PLS*

Resource Areas:

- 1) *Upper Mystic Lake*
- 2) *1% Annual Chance Flood Hazard Floodplain*
- 3) *Bordering Land Subject to Flooding*
- 4) *100-Foot Wetlands Buffer Zone/Adjacent Upland Resource Area*

S. Owayda presented the project proposal, which includes hardscaping and landscaping the backyard.

P. Heidell requested that the Applicant seek input from DCR with the rebuild of the dam 2011, whether or not the hydraulic analysis shows that the flooding upstream of the dam was projected to decrease and alter the 100 year flood zone. She cited text from the EEA's Secretary Certificate on the project ENF that suggested that detailed hydraulic analysis was conducted. She suggested that if the Applicant was to apply to FEMA for a LOMA on the subject property, analysis from DCR would be helpful.

C. Tirone stated that the proposed hardscaping is within the floodplain per the elevation certificate. C. Tirone suggested that if S. Owayda did not want to change the hardscape plan, then S. Owayda create compensatory storage through regrading.

N. Stevens suggested that the hardscaping could be raised above the base flood elevation.

S. Owayda requested that the walls and benches be removed from the proposal and that the Commission approve the patio work.

C. Tirone motioned to issue a negative determination (negative determination #3) with the modification request S. Owayda proposed and with the condition that no walls, planters, benches, or other hardscaping that would encroach on the floodplain shall be constructed as part of this project. P. Heidell seconded, all were in favor, motion approved.

Wetlands Resources Discussion with Engineering Division (Floating Wetlands)

W. Chouinard presented the concept of installing floating wetlands in Spy Pond to reduce nutrient concentrations, particularly phosphorous. W. Chouinard summarized that the new MS4 permit required nutrient reductions, and floating wetlands could be one tool the Town uses to reduce nutrients. W. Chouinard stated that this could be a pilot study and that the Charles River Conservancy will be doing a similar floating wetlands pilot project soon.

C. Tirone requested that if floating wetlands were installed, the Engineering Division would submit an operations and maintenance plan to the Commission.

W. Chouinard stated that there are existing formulas to estimate the nutrient removal capacity of floating wetlands, and that the Engineering Division would use these models to determine the capacity of floating wetlands in Spy Pond. W. Chouinard asked what the permitting process would be for such a pilot study. The Commission was unsure about the permitting process, but agreed to research it more.

Request for Determination of Applicability: Dudley Street Sidewalk

No DEP File Number because RDA

Documents Reviewed:

- 1) *RDA Package, dated 9/4/2019*
- 2) *Dudley Street Sidewalk Replacement Sketch, dated 3/13/2019*
- 3) *Proposed Dudley Street Sidewalk Replacement Project details, not dated*

Resource Areas:

- 1) *1% Annual Chance Flood Hazard Floodplain*
- 2) *Regulatory Floodway*
- 3) *Bordering Land Subject to Flooding*
- 4) *100-Foot Wetlands Buffer Zone/Adjacent Upland Resource Area*
- 5) *200-Foot Riverfront Area*

W. Chouinard presented the proposal. The project proposal is a municipal sidewalk improvement project within the existing public right of way on Dudley Street. This project proposes to replace a failing sidewalk and guard rail along a small section of Dudley Street, near the corner of Grove Street. In addition to the sidewalk replacement, the project proposes to install a short segment of underground chambers to provide flood storage and promote infiltration. The volume of the proposed chambers would provide an additional 200+cf of flood storage.

D. White motioned to issue a negative determination (negative determination #3) with the condition that the project does not include any floodplain encroachment or occupation, C. Tirone seconded, all were in favor, motion approved.

Notice of Intent - 10 Sheraton Park

DEP File Number: 091-0315

Documents Reviewed:

- 1) *Notice of Intent package, dated 9/5/2019*
- 2) *10 Sheraton Park Plot Plan, not dated*

Resource Areas:

- 1) *Spy Pond*
- 2) *100-Foot Wetlands Buffer Zone*
- 3) *Adjacent Upland Resource Area*
- 4) *Bordering Vegetated Wetland*
- 5) *Bordering Land Subject to Flooding*
- 6) *1% Annual Chance Flood Hazard Floodplain*

T. Petryshen presented the proposal. The project proposal includes removing a failing bank wall along Spy Pond and replacing it with stabilizing coir fascines. The project also includes vegetating native plantings along the bank. The project would require the removal of a juniper tree, which would be replaced per the Commission's tree replacement policy and which would also be supplemented with additional native plantings. A shed was also included in the project but the Applicant stated that it may not be constructed.

P. Heidell asked the size of the tree. T. Petryshen stated the tree is 6 inches dbh (diameter at breast height).

P. Heidell asked if it would be possible to access the project site from the neighbor's property, thereby saving the tree. T. Petryshen stated that the neighbor was unwilling to allow access through their property.

S. Chapnick asked if a turbidity curtain would be installed during the bank work. C. Tirone suggested using a silt fence instead if the pond's water level is low enough.

C. Garnett asked if NHESP had commented on the project or requested a survey of the site. T. Petryshen stated that the application was sent to NHESP but that she had not received a response yet.

C. Tirone said that if the Applicant wanted to add the shed, it could be put on cinder blocks so as not to reduce flood storage.

D. White requested that a survey be conducted so that elevations were clear. P. Heidell requested that the amount of fill around the coir fascine be calculated for compensatory storage requirements.

D. White motioned to continue the hearing to the 10/3/2019 meeting, M. Nonni seconded, all were in favor, motion approved.

Request for Certificate of Compliance: 1167R Massachusetts Ave

DEP File Number: 091-0262

Documents Reviewed:

- 1) *Order of Conditions, dated 9/4/2015*
- 2) *Request for Certificate of Compliance, dated 8/28/2019*
- 3) *As-Built Plan, dated 1/4/2016, certified by Paul Lindholm PE*

Resource Areas:

- 1) *Mill Brook*
- 2) *100-Foot Wetlands Buffer/Adjacent Upland Resource Area*
- 3) *200-Foot Riverfront Area*

D. White motioned to issue the full Certificate of Compliance for the Geothermal Project, C. Tirone seconded, all were in favor, motion approved.

Notice of Intent: 1167R Massachusetts Ave

DEP File Number: 091-0314

Documents Reviewed:

- 1) *Notice of Intent packet, dated 8/28/2019, revised 9/4/2019*

Resource Areas:

- 1) *Mill Brook*
- 2) *100-Foot Wetlands Buffer/Adjacent Upland Resource Area*
- 3) *200-Foot Riverfront Area*

L. Lessard presented the project proposal. The project proposal includes installing a ground level deck supported on concrete pilings on the back of the property that would require the removal of a tree and existing grass, constructing a fence along Mill Brook's retaining wall, and repairing an existing wooden enclosure above the brook that supports a potable water line.

P. Heidell asked if the deck could be redesigned to save the tree. P. Heidell asked if the potable water line would be replaced in addition to the wooden enclosure. L. Lessard stated that the condition of the water line is unknown and therefore any maintenance work on the water line is also unknown. P. Heidell asked what method would be used to prevent debris from entering the brook during the enclosure replacement. L. Lessard stated that a net would be installed below the enclosure. P. Heidell requested more information about the netting which L. Lessard agreed to submit.

C. Tirone stated that since the project is proposed within the 200-Foot Riverfront Area, the project must include an improvement to the site. C. Tirone asked what the proposed improvement was. P. Heidell stated that an improvement related to native vegetation or stormwater infiltration could be installed.

The Commission agreed that the application was missing information and requested the following items:

- 1) updated narrative clarifying improvements to the 200-ft Riverfront Area,
- 2) a revised deck plan to prevent removing the tree,
- 3) specifications on netting/mesh used during the wooden enclosure replacement, and
- 4) a wooden enclosure replacement plan.

S. Chapnick motioned to continue the hearing to the 10/3/2019 meeting, D. White seconded, all were in favor, motion approved.

Review draft OOCs for 47 Spy Pond Lane Lot 1/A and Spy Pond Dredging Project

The Commission reviewed the draft OOCs and made edits.

Woods Hole Group Invoice

Commission approved payment of WHG invoice for \$895.00 for the McClenen Park Detention Basin / Reeds Brook report.

Meeting adjourned at 11:00pm.